

Appl. No. 09/743,241
Amdt. dated July 12, 2006
Reply to Office Action of April 12, 2006

Atty. Ref. 81922.0004
Customer No. 26021

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 13, 14, 17, 18, 21, 25-27 and 31-34 are pending. The allowance of claims 13, 14, 17, 18, 21, 25-27, 32 and 33 is noted and appreciated. Claims 31 and 34 are amended.

Claim Rejections – 35 USC 103

Claim 31 is rejected under 35 USC 103(a) as obvious over Nishino (JP 401311744A) and Irube (US 6,377,818). In particular, the Action asserts at pages 2-3 that "Nishino differs from claimed invention in that he does not teach mobile terminal functions for carrying out desired communications", but that "Irube discloses communication terminal apparatus which teaches mobile functions for carrying out desired communications".

Applicant respectfully disagrees and amends claim 31 to clarify its distinctions relative to Nishino and Irube. In particular, claim 31 is amended to emphasize that the in-coming information includes data type information that identifies telephone or visual telephone communication.

As shown, for example, in applicant's Fig. 5, the "data type information" of claim 31 is information which identifies the data type of the in-coming information, such as sound data, text data and the like. Nishino, by contrast, discloses information that merely identifies whether the sending terminal is a simple terminal or a composite terminal. This is greatly different from the data type information as claimed by applicant. Irube does not remedy Nishino's deficiencies in this regard. Hence, for at least this reason, claim 31 is not obvious over Nishino and Irube.

Moreover, Nishino does not suggest or mention use of an application program. Thus, there is no possibility that an application program is activated in correspondence with the data type information, as is also required by claim 31. Thus, for this additional reason, claim 31 is not obvious over Nishino and Irube.

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Claim 34 is rejected as obvious over Nishino, Irube and Sato (JP 406296277). In particular, the Action asserts at page 3 that "Sato discloses video telephone system" in which "when a key...is pressed, the application program is activated".

Applicant respectfully disagrees and amends claim 34 to clarify its distinctions relative to Nishino, Irube and Sato. In particular, claim 34 is amended to emphasize that the application program is activated in correspondence with the data type information.

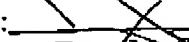
The Abstract of Sato, by contrast, states that "the image information stored in moving image filing memory 14 in advance and the voice information stored in the voice memory 19 are transmitted" upon "operating an operating part 22". However, there is no suggestion or mention of activation of an application program *in correspondence with data type information*, as is required by claim 34. Hence, for at least this reason, in addition to the reasons set forth for base claim 31, Claim 34 is not obvious over Nishino, Irube and Sato.

Conclusion

This application is now believed to be in condition for allowance. The examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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